



DEBATE PACK

Number CDP-0017, 18 January 2016

Safety in Youth Custody

Westminster Hall Debate 20 January 2016 at 14.30

A debate on safety in youth custody will be held on Wednesday 20 January 2016 at 14.30 in Westminster Hall.

The member in charge of the debate is Judith Cummins.

Youth justice is a devolved policy area. This debate pack provides an overview of youth justice policy and safety in youth custody in England and Wales.

A BBC Panorama Programme, Teenage Prison Abuse Exposed, was based on an undercover investigation at Medway Secure Training Centre and broadcast on 11 January 2016. The Programme has stimulated debate and media attention on safety in youth custody.

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

Hannah Cromarty
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1. Youth Justice System

Youth justice is a devolved policy area. The Ministry of Justice is responsible for youth justice policy in England and Wales.

The Crime and Disorder Act 1998 specifies that the principal aim of the youth justice system is to prevent offending by young people.¹ The Act established the Youth Justice Board (YJB). One of the YJB's strategic objectives for 2014-17 is to promote the safety and welfare of children and young people in the criminal justice system.²

The gov.uk website provides information about why young people are sent to custody, the types of secure centre, and the advice and support for young people in custody.

There are three types of custody for young people³:

Young offender institutions:

- are run by the Prison Service and private companies.
- are for people aged 15 to 21 (people under 18 are held in different buildings).
- house between 60 to 400 people, split into 'wings' of 30 to 60 people.

Secure training centres:

- are run by private companies.
- are for people aged up to 17.
- house between 50 and 80, split into units of 5 to 8 people.
- give 30 hours of education and training a week, following a school day timetable.

Secure children's homes:

- are run by local councils.
- are for people aged 10 to 14.
- house between 8 and 40 people.
- give 30 hours of education and training a week, following a school day timetable.

Her Majesty's Inspectorate of Prisons for England and Wales (HM Inspectorate of Prisons) is an independent inspectorate which reports on conditions for and treatment of those in young offender institutions and secure training centres. Inspections of secure training centres are jointly led with Ofsted, supported by the Care Quality Commission. Secure children's homes are subject to inspection by Ofsted.

¹ Section 37(1)

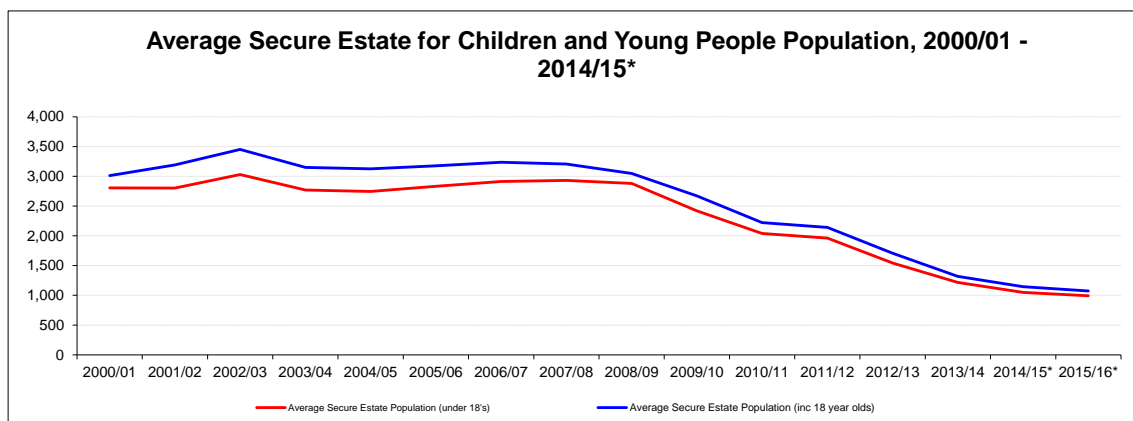
² Youth Justice Board, [YJB Corporate Plan 2014-17 and Business Plan 2014/15](#), 2014

³ www.gov.uk, [Young people in custody](#) [Accessed 15 January 2016]

2. Statistics on Youth Custody

The overall number of people in the Youth Justice System has been falling over the last decade in tandem with falls in the number of proven offences by young people, convictions, cautions and the number sentenced.

In England and Wales there were 991 people in custody aged under 18 in November 2015. The overall population of the 'secure estate for young people' (i.e. those in Young Offender Institutions, Secure Training Centres, and Secure Children's Homes), including those aged 18 years old, was 1,061.⁴ Both these figures are around one-third of their values 7/8 years earlier.



The latest figures for under 18s in custody are that 210 around 1 in 5 under 18s are in Secure Training Centres.

Youth Custody Population (under 18) by type of accommodation

	Nov-15	
	Number	%
Secure Childrens Home	112	11%
Secure Training Centre	210	21%
Young Offenders Institution	669	68%
	991	100%

2.1 Who are the children and young people detained?

Of those aged under 18 detained as at November 2015:

- Almost all are male, 96%.
- 58% were ethnically white and 41% were black or minority ethnic.
- 96% were aged 15 to 17 years; 4% were 10 to 14 years
- Most, 523, 53%, had received a Detention and Training Order (from 4 months to 2 years in length); 249, 25%, had received a long-term sentence; 219, 22%, were on remand.

⁴ Youth Justice Board [Monthly Youth Custody Report](#) Nov 2015

2.2 How many incidents of self-harm, assaults and use of restraint are there?

Restrictive Physical Intervention (RPI) refers to a situation where a member of staff uses force intentionally to restrict a child's movements against his or her will. There were 5,714 incidents of restrictive physical interventions in 2013/14, down by 21% on the previous year. However, it should be noted that the number of RPIs has fallen more slowly than the number in custody. The number of RPIs per 100 young people in custody rose in 2013/14 to 28.4 per 100, compared to 23.8 in 2012/13 and 20.5 in 2010/11.⁵

Incidents of **self-harm** by young people in custody declined in absolute terms to 1,318 in 2014. Down by 8% on the previous year. This fall, however, is slower than the number in custody so the rate of self-harm incidents rose from 5.2 per 100 young people in 2012/13 to 6.6 in 2013/14.

Similarly, the number of **assaults** by young people in custody has fallen, down by 18% between 2010/11 and 2013/14. But the number of assaults in relation to the population in custody has risen, from 10.1 per 100 in 2012/13 to 14.6 in 2013/14.

Deaths in custody There have been 16 deaths of young people in custody since 2000. The number of deaths is commonly 1 or 2 per year, but years with no deaths have become common recently.⁶

⁵ MoJ / Youth Justice Board [Youth Justice Annual Statistics 2013/14](#)

⁶ MoJ [Safety in Custody Statistics England & Wales](#) to September 2015

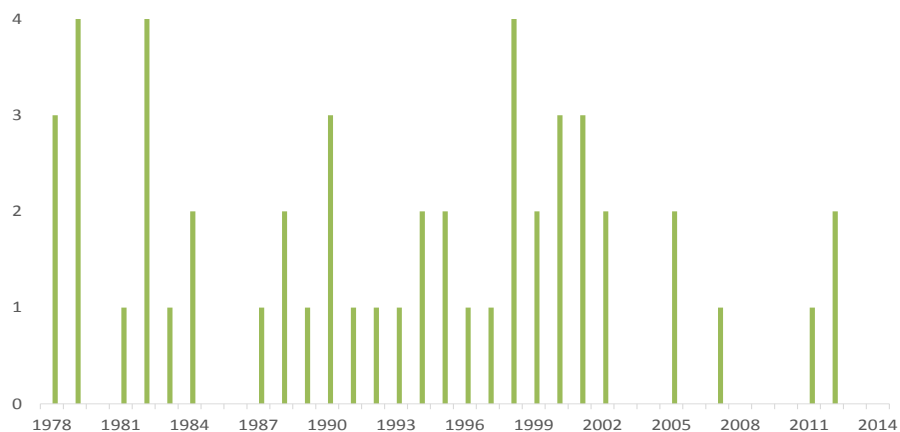
Incidents of RPI, self harm and assault in 2009/10 to 2013/14 (England & Wales: under 18s)

RPI	2009/10	2010/11	2011/12	2012/13	2013/14	% change 2010/11 to 2013/14	% change 2012/13 to 2013/14
Total number of RPIs in the year	6,922	7,191	8,419	6,481	5,714	-21%	-12%
10-14	1,459	939	1,000	674	578	-38%	-14%
15-18	5,472	6,252	7,421	5,807	5,136	-18%	-12%
Male	5,868	6,697	7,713	6,035	5,149	-23%	-15%
Female	1,054	494	706	446	565	+14%	+27%
BAME	2,132	2,776	3,747	2,557	2,123	-24%	-17%
White	4,790	4,375	4,655	3,895	3,580	-18%	-8%

Self harm	2009/10	2010/11	2011/12	2012/13	2013/14	% change 2010/11 to 2013/14	% change 2012/13 to 2013/14
Total number of self harm incidents in the year	2,069	1,424	1,725	1,426	1,318	-7%	-8%
10-14	142	102	72	79	48	-53%	-39%
15-18	1,921	1,322	1,643	1,349	1,270	-4%	-6%
Male	1,513	1,130	1,249	1,118	1,173	+4%	+5%
Female	556	294	476	308	145	-51%	-53%
BAME	201	155	203	137	152	-2%	+11%
White	1,862	1,263	1,511	1,290	1,164	-8%	-10%

Assaults by young people	2009/10	2010/11	2011/12	2012/13	2013/14	% change 2010/11 to 2013/14	% change 2012/13 to 2013/14
Total number of assaults in the year	3,589	3,554	3,372	2,749	2,932	-18%	+7%
10-14	869	613	448	294	245	-60%	-17%
15-18	2,810	2,909	2,852	2,438	2,683	-8%	+10%
Male	3,033	3,239	2,929	2,497	2,619	-19%	+5%
Female	562	332	344	197	246	-26%	+25%
BAME	1,248	1,469	1,529	1,147	1,340	-9%	+17%
White	2,404	2,141	1,767	1,572	1,581	-26%	+1%

Deaths in custody of people aged 15-17, All causes (England & Wales)
1978 to 2014



3. Youth Custody – Government Policy

Detailed information about the policies put forward by successive Governments to address youth crime is provided in the House of Commons Standard Note SN/HA/5896 [Young offenders: What next?](#) (October 2013).

3.1 Departmental Review of Youth Justice

On 11 September 2015, Michael Gove, Secretary of State for Justice and Lord Chancellor, announced a Departmental review of youth justice in England and Wales⁷. The review is expected to report in the summer of 2016 and has been established to examine:

- the nature and characteristics of offending by young people aged 10-17 and the arrangements in place to prevent it.
- how effectively the youth justice system and its partners operate in responding to offending by children and young people, preventing further offending, protecting the public and repairing harm to victims and communities, and rehabilitating young offenders.
- whether the leadership, governance, delivery structures and performance management of the youth justice system is effective in preventing offending and reoffending, and in achieving value for money.⁸

⁷ MoJ Written Statement to Parliament, [Announcement of a review into youth justice](#), 11 September 2015

⁸ Ministry of Justice, [Youth Justice Review: Terms of Reference](#), 17 September 2015

4. Safety in Youth Custody

4.1 Deaths in Youth Custody

There has been continued concern about the number of deaths in youth custody. In 2012 the Prison Reform Trust and INQUEST jointly published a report *Fatally Flawed: Has the state learned lessons from the deaths of children and young people in prison?*⁹ The report considered casework on the 143 deaths of children and young adults (aged 24 years or younger) between 2003 and 2010. It concluded, amongst other things, that many young people and children whose deaths were self-inflicted shared common traits, and that successive governments had not learnt the lessons from those deaths.

A further INQUEST report in March 2015 *Stolen Lives and Missed opportunities: The deaths of young adults and children in prison* documents the deaths of 65 young people and children (aged 24 years or younger) in prison between 2011 and 2014. The report concludes:

The vulnerabilities of young prisoners have been well documented, yet they continue to be sent to unsafe environments, with scarce resources and staff untrained to deal with, and respond humanely to, their particular and complex needs. At a practice level, establishments do not seem to have *learned lessons* from previous deaths in prisons; too many deaths occur because the same mistakes are made time and again.¹⁰

Harris Review

The Harris Review published its report *Changing Prisons, Saving Lives: Report of the Independent Review into Self-inflicted Deaths in Custody of 18–24 year olds*, on 1 July 2015. The review made 108 recommendations to the government and noted its concern that:

... the same problems are being reported from so many different sources and over such a long period of time. Despite being clearly articulated repeatedly in numerous reports, the extensive work of this panel has found that the lessons are clearly not being learned and not enough has been done to bring about substantive change.¹¹

The Government published its response to the Harris Review in December 2015. In the response Michael Gove, Secretary of State for Justice and Lord Chancellor, stated:

The report is a valuable contribution to the work that so urgently needs to be done to reform our prisons and we can agree with many of the Review's recommendations. Overall I believe the Review's findings support the ambitions I have set out to improve

⁹ Prison Reform Trust and INQUEST, [Fatally Flawed: Has the state learned lessons from the deaths of children and young people in prison?](#), 2012

¹⁰ INQUEST, [Stolen Lives and Missed Opportunities: The deaths of young adults and children in prison](#), March 2015, Page 4

¹¹ The Harris Review, [Changing Prisons, Saving Lives: Report of the Independent Review into Self-inflicted Deaths in Custody of 18–24 year olds](#), CM 9087, July 2015, Page 15

the prison system and reinforce many of the reforms we are now driving.¹²

The House of Lords Library Note [Harris Review on Self-inflicted Deaths in Custody of 18–24 year olds, 'Changing Prisons, Saving Live](#) (October 2015) provides a brief summary of the Review's main findings, presents some statistics on self-inflicted deaths in custody and provides references for further reading on this subject.

4.2 Use of Restraint Measures

The use of restraint measures on children is a controversial area. A report by the Howard League for Penal Reform [Twisted: The use of force on children in custody](#) in 2011 provides an overview of restraint techniques, statistics and concerns surrounding their use.

The House of Commons Justice Committee *Youth Justice - Seventh Report of Session 2012–13* considered the use of restraint on children and recommended:

We welcome the fact that the new policy limits the use of force against young offenders but consider a more fundamental cultural shift is required.¹³

The Government responded:

In challenging situations restraint is sometimes necessary to ensure the safety of the young person, other young people and staff. The Government is currently rolling out a new system of restraint, called Managing and Minimising Physical Restraint (MMPR), to Secure Training Centres and under-18 Young Offender Institutions that emphasises the importance of effective behaviour management to avoid restraint as far as possible and manage any incidents as safely as possible.¹⁴

In February 2012 the Government set up an Independent Restraint Advisory Panel (IRAP) which has responsibility for:

- assessing the quality and safety of systems of restraint commissioned for use on children in secure children's homes, and;
- supporting the implementation of Minimising and Managing Physical Restraint (MMPR).

In November 2015 HM Inspectorate of Prisons published a report on *Behaviour management and restraint of children in custody* which set out findings on the implementation of the new MMPR system. In the report Nick Hardwick, HM Chief Inspector of Prisons, states:

The implementation of MMPR is taking place against a backdrop of a substantial fall in the number of children in custody, the decommissioning of beds across both YOs and STCs and staffing shortages across the YOI estate. This has caused significant delay

¹² MoJ, [Government response to the Harris Review into self-inflicted deaths in National Offender Management Service custody of 18-24 year olds](#), December 2015, Page 4

¹³ HoC Justice Committee, [Youth Justice - Seventh Report of Session 2012–13](#), 26 February 2013, Para 97

¹⁴ [The Government response to the Justice Committee's Seventh Report of Session 2012-13: Youth Justice](#), May 2013, Page 14

in the roll out of MMPR, which is now due to be completed in July 2016 – a year behind schedule. The reduction in numbers also means that YOIs and STCs now hold an even more concentrated mix of children (almost all boys) with more challenging behaviour and complex needs than in the past. This combination of delay, resource pressures, a more complex population and concerns about overall performance means that the new MMPR system is not yet being consistently implemented or achieving the intended outcomes.¹⁵

And furthermore:

Improved restraint processes, although very necessary, cannot alone reduce their use or make them safer. That depends much more on the structure of the estate, the quality and training of staff, and the culture in place.¹⁶

4.3 The Management of Secure Custody Centres

Inspection Reports on Youth Offender Institutions (YOIs)

There were two notably critical inspections of YOIs in 2013:

- i) an inspection of HMP YOI Feltham A (which holds boys under 18 years of age) in January 2013¹⁷, and
- ii) an inspection of HMP YOI Feltham B (which holds young adult males aged 18-20 years) in March 2013¹⁸. Both reports raised serious concerns about the safety of young people in the institutions and the levels of violence. The report on Feltham B, was described by Nick Hardwick, the Chief Inspector of Prisons, as “one of the most concerning we have published recently”.¹⁹

An unannounced inspection of HMP/YOI Feltham A in the summer of 2015 concluded that Feltham A is “making real progress with credible and positive plans for the future”.²⁰

An announced inspection of HMP/YOI Feltham B in the summer of 2014 found that:

...the prison and NOMS had responded positively to our findings. Feltham B still faces significant challenges, particularly a high level of staff vacancies, but in a period when outcomes in many other

¹⁵ HMIP, [Behaviour management and restraint of children in custody](#), 18 November 2015, Page 5

¹⁶ HMIP, [Behaviour management and restraint of children in custody](#), 18 November 2015, Page 7

¹⁷ HMIP, [Unannounced inspection of HMP/YOI Feltham A – children and young people](#), 21 – 25 January 2013

¹⁸ HMIP, [Unannounced full follow-up inspection of HMP/YOI Feltham B – young adults](#), 18 – 22 March 2013

¹⁹ HMIP, [Unannounced full follow-up inspection of HMP/YOI Feltham B – young adults](#), 18 – 22 March 2013, Page 5

²⁰ HMIP, [Report on an unannounced inspection of HMYOI Feltham \(children and young people\)](#), 27 July – 2 August 2015, Page 5

establishments have been declining, Feltham B has improved significantly in almost every area.²¹

Reports by HM Inspectorate of Prisons are available on their [website](#).

Inspection Reports on Youth Secure Training Centres (YSTCs)

G4S currently run all three YSTCs: Rainsbrook in Northamptonshire, Medway in Kent, and Oakhill in Milton Keynes. An Ofsted inspection of Medway in September 2014 judged the overall effectiveness of the centre as 'good with some outstanding features' and the safety of children as 'good'.²² The overall effectiveness of Oakhill, and the safety of children, was judged to be 'good' by an Ofsted inspection in November 2014.²³

However, in September 2015 G4S lost the contract to run Rainsbrook²⁴ following an Ofsted inspection in February 2015 which graded the overall effectiveness of the centre as 'inadequate'. With regards to the safety of young people Ofsted reported that:

...there have been serious incidents of gross misconduct by staff, including some who were in positions of leadership. Poor staff behaviour has led to some young people being subject to degrading treatment, racist comments, and being cared for by staff who were under the influence of illegal drugs.²⁵

A subsequent Ofsted inspection in September 2015 found that the centre had improved since the previous inspection, and the overall effectiveness of the centre was judged to 'require improvement'.²⁶ MTC Novo will take over the running of Rainsbrook from May 2016.²⁷

An [independent report on Rainsbrook STC](#) by Sir Martin Narey was published by YJB on 28 July 2015.

BBC Panorama programme – Teenage Prison Abuse Exposed

On 8 January 2016, the BBC and other media outlets reported allegations of verbal and physical abuse directed towards young people detained at Medway Secure training Centre, an establishment managed by G4S. The allegations arose from an undercover investigation for a BBC "Panorama" programme – '[Teenage Prison Abuse Exposed](#)' – which was broadcast on 11 January.

²¹ HMIP, [Report on an announced inspection of HMP/YOI Feltham \(Feltham B – young adults\)](#), 28 July–8 August 2014, Page 5

²² Ofsted, [Inspection of Medway Secure Training Centre](#), September 2014

²³ Ofsted, [Inspection of Oakhill Secure Training Centre](#), November 2014

²⁴ The Guardian, [G4S loses contract to run Rainsbrook young offender facility](#), 4 September 2015

²⁵ OFSTED, [Inspection of Rainsbrook Secure Training Centre](#), February 2015

²⁶ OFSTED, [Inspection of Rainsbrook Secure Training Centre](#), December 2015

²⁷ YJB, [YJB responds to Ofsted inspection of Rainsbrook Secure Training Centre](#), December 2015

Government Response

In response to an urgent question on 11 January 2015 on safety in prisons and secure training centres, the Secretary of State for Justice stated:

We must treat these allegations with the utmost seriousness. Kent police and the Medway child protection team are now investigating matters on the basis of information shared with them by the BBC, and the police will decide in due course whether criminal charges should be brought.

It would be inappropriate for me to comment further on the specific allegations while these investigations are under way, but I can assure the House that my Department and the Youth Justice Board—under the determined leadership of my right hon. and noble Friend Lord McNally—will do everything we can to assist the police and the local council. Our immediate priority has been to make sure that the young people in custody at Medway are safe, which is why Her Majesty's inspectorate of prisons and Ofsted visited the secure training centre this morning. They are meeting representatives of G4S, Medway council and the Youth Justice Board to ensure that all necessary action is being taken to ensure the wellbeing of young people at the centre. Inspectors will speak directly to the young people detained at Medway to satisfy themselves that everything is being done to ensure that people are safe. I will also be meeting G4S this week to discuss the allegations and to review its response.²⁸

Opposition Response

Andy Burnham, shadow Home Secretary, has called for G4S to be stripped of its contract to run young offenders institutions. He has also called for a wide-ranging review of all the company's contracts within the criminal justice system to be led by the Home Secretary and Justice Secretary.²⁹

Youth Justice Board Response

On 11 January 2016 the YJB issued a press notice setting out their response:

The action being taken by the YJB includes:

Enhancing the availability of the independent advocacy service provided by Barnardo's for young people in advance of the Panorama programme being broadcast, at all three STCs. This will ensure there are independent staff on hand to support the young people before, during and after the programme has aired.

The YJB has been in contact with the Youth Offending Teams responsible for all the young people currently at Medway STC and asked them let us know if they have any concerns at all about their young people. We will consider on a case by case basis any specific action which needs to be taken to meet the particular needs of each individual young person, including, where appropriate, reviewing their placement.

We will commission an independent review of young people's perceptions of safety at Medway STC. This work will follow on as

²⁸ [HC Deb 11 January 2015 c573](#)

²⁹ [The Guardian, Andy Burnham calls for G4S to be stripped of youth prisons contract, 10 January 2016](#)

soon as possible from the visit of a joint Inspection team (HMIP and Ofsted) which are in Medway today to make an assessment of safety and safeguarding at the centre. We will act on their recommendations.

Further enhancements to the system of monitoring at Medway STC. We have already increased the time the YJB's monitor is spending with young people at the centre and there will also be an increased number of YJB staff on the ground each day this week. The enhanced monitoring will focus on increased sampling of CCTV records (beyond the restraint incidents which are already reviewed) and testing levels of supervision and assurance around standards of staff behaviour.

A review of safeguarding arrangements at Oakhill and Rainsbrook STCs, carried out in partnership with other agencies. Work on this is likely to begin next week and will give the YJB a clear view of young people's perceptions of safety as well the systems in place at all three STCs.

Seek funding to extend CCTV coverage across all three STC sites. The YJB has also asked G4S to extend a pilot programme for body worn cameras to Medway and Oakhill STCs. These are in use already at Rainsbrook STC.³⁰

G4S Response

Following the broadcast of the BBC's Panorama programme, Paul Cook, G4S Managing Director of G4S Children's Services released the following statement:

We are appalled by the behaviour of certain members of staff at Medway Secure Training Centre shown in the programme and I would like to apologise personally to any young people involved in these incidents. The wellbeing, safety and care of the young people at Medway is our primary objective and we are shocked that any member of staff would behave in this way.

There is no place for the conduct shown in the programme within any of our Secure Training Centres and it will not be tolerated. We took immediate action to suspend the staff concerned on 30 December and we will take further action as appropriate once the police investigation is complete. We have also taken immediate steps to increase the oversight and governance at Medway whilst the investigation continues.

We are in close discussion with the Youth Justice Board to commission an investigation into these matters once the Kent Police investigation is complete and we have requested copies of all of the evidence collected by BBC Panorama between August and December 2015 in order for us to conduct a thorough investigation.³¹

The BBC has subsequently reported that five men have been bailed following arrests over the allegations of abuse at Medway.³²

³⁰ Youth Justice Board, [Action taken by the YJB to safeguard young people at secure training centres](#), 11 January 2016

³¹ G4S, [G4S Children's Services](#), 11 January 2016

³² BBC News, [Five men bailed over G4S Panorama young offenders centre probe](#), 14 January 2016

4.4 The Role of the Private Sector in Imprisonment

The House of Commons Library Standard Note SN/HA/6811 [*Prisons: The role of the private sector*](#) offers an overview of some of the main areas of controversy and debate on the contracting out of imprisonment to the private sector.

5. Parliamentary Business

5.1 Written Statement – Youth Justice

[\[Hansard 11 September 2015 HCWS190\]](#)

Statement by the Lord Chancellor and Secretary of State for Justice (Michael Gove):

In recent years we have seen a significant and welcome reduction in the number of young people entering the youth justice system. However, little progress has been made in reducing reoffending, with 67% of young people leaving custody reoffending within a year.

The time is right to examine our approach to tackling youth offending. We need to consider whether the current system, which was created in 2000, remains able to meet the challenges we face in 2015.

It is vital that we seize the opportunity to rehabilitate young people who have offended, to steer them away from a life of crime, and to set them on a more positive course which will benefit both them and society.

For this reason Charlie Taylor will lead a departmental review of the youth justice system. Charlie is the former Chief Executive of the National College of Teaching and Leadership, the former head teacher of an outstanding school for children with complex behavioural, emotional and social difficulties, and an expert in managing young people's behaviour. His experience and expertise in working with children with severe behavioural difficulties give him a real understanding of the wider challenges in preventing youth offending, and I am confident he will bring a fresh perspective and energy to the task.

As part of the review Charlie will look at the evidence and current practice in preventing youth crime and rehabilitating young offenders; he will explore how the youth justice system can most effectively interact with wider services for children and young people; and he will consider whether the current arrangements are fit for purpose.

The review will report in the summer of next year.

The terms of reference for the review will be placed in the Libraries of both Houses.

5.2 Parliamentary Questions

The following PQs have recently been asked in relation to safety in youth custody:

Prisons and Secure Training Centres: Safety

[\[HC Deb 11 January 2016 c573\]](#)

Asked by Andy Slaughter on 11 January 2016

To ask the Secretary of State if he will make a statement on safety in prisons and secure training centres.

Answered by Michael Gove on 11 January 2016

The safety and welfare of all those in custody is vital, so we take seriously all reports of the mistreatment of those in our care.

On 8 January, the BBC and other media outlets reported allegations of verbal and physical abuse directed towards young people detained at Medway secure training centre, an establishment managed by G4S. The allegations arise from an undercover investigation for a “Panorama” programme which will be broadcast this evening. It must be stressed that investigative reporting is vital to keeping government honest, and I am grateful to the BBC for the work it has undertaken.

We must treat these allegations with the utmost seriousness. Kent police and the Medway child protection team are now investigating matters on the basis of information shared with them by the BBC, and the police will decide in due course whether criminal charges should be brought.

It would be inappropriate for me to comment further on the specific allegations while these investigations are under way, but I can assure the House that my Department and the Youth Justice Board—under the determined leadership of my right hon. and noble Friend Lord McNally—will do everything we can to assist the police and the local council. Our immediate priority has been to make sure that the young people in custody at Medway are safe, which is why Her Majesty’s inspectorate of prisons and Ofsted visited the secure training centre this morning. They are meeting representatives of G4S, Medway council and the Youth Justice Board to ensure that all necessary action is being taken to ensure the wellbeing of young people at the centre. Inspectors will speak directly to the young people detained at Medway to satisfy themselves that everything is being done to ensure that people are safe. I will also be meeting G4S this week to discuss the allegations and to review its response.

I am under no illusions about the fact that our system of youth justice needs reform. Although youth offending is down, recidivism rates are high, and the care and supervision of young offenders in custody is not good enough. That is why I asked Charlie Taylor, the former chief executive of the National College for Teaching and Leadership, to conduct a review of youth justice. He will report back later this year with recommendations on how to improve the treatment of young people in

our care. But it is not just youth justice that needs reform. We need to bring change to our whole prison estate. There is much more to do to ensure that our prisons are places of decency, hope and rehabilitation.

Violence in prisons has increased in recent years. The nature of offenders currently in custody and the widespread availability of new psychoactive substances have both contributed to making prisons less safe. There is no single, simple solution to the problems we face, but we are determined to make progress. We are trialling the use of body-worn cameras and training sniffer dogs to detect new psychoactive substances. We have made it an offence to smuggle so-called legal highs into prison, but ultimately the only way to reduce violence in our prisons is to give governors and all those who work in prisons the tools necessary more effectively to reform and rehabilitate offenders. That is the Government's mission and one I am determined to see through.

The full text of the debate is available in Hansard: [\[HC Deb 11 January 2016 c573\]](#)

Youth Custody: Restraint Techniques [18446]

Asked by Caroline Lucas on 02 December 2015

To ask the Secretary of State for Justice, what assessment he has made of the implications for his policies of the recommendations of HM Inspectorate of Prisons' thematic report on Behaviour management and restraint of children in custody, published in November 2015.

Answered by Andrew Selous on 08 December 2015

Restraint is only be used as a last resort, when young people are putting their own safety and the safety of others at risk.

The recent report by HM Inspectorate of Prisons welcomed our new arrangements, which are designed to limit the use of physical restraint on young people in custody as far as possible.

The report does raise some concerns over how the new system is operating and we will carefully consider its recommendations.

Youth Custody: Restraint Techniques [11256]

Asked by Jenny Chapman on 09 October 2015

To ask the Secretary of State for Justice, how many times force has been used on children of each (a) gender and (b) ethnicity for good order and discipline in (i) secure children's homes, (ii) secure training centres and (iii) young offender institutions in each of the last three years.

Answered by Andrew Selous on 19 October 2015

We are clear that restraint should only be used as a last resort, where there is a risk of harm, and where it is absolutely necessary to do so and no other form of intervention is possible or appropriate.

Restraint for passive non-compliance (previously good order and discipline) is not permitted in Secure Children's Homes (SCHs) and Secure Training Centres (STCs). It is only permitted in Young Offender Institutions (YOIs).

A new system of restraint, Minimising and Managing Restraint (MMPR), is being implemented in Secure Training Centres and Young Offenders Institutions. This has been specifically developed for use by staff working with young people in custody, and aims to avoid physical restraint as far as possible by recognising young people's behaviour, and using a range of de-escalation, diversion and behaviour management techniques.

Prior to the implementation of MMPR, no data was collected centrally on reasons for using force. Figures are presented on passive non-compliance for Hindley and Wetherby YOIs, the only YOIs that were using MMPR during this period.

Table 1 shows the number of use of force incidents for passive non-compliance from October 2013 to September 2014, broken down by ethnicity. Since August 2013, all females within the secure estate have been placed in SCHs and STCs so no gender breakdown is provided.

Table 1: Number of use of force incidents for passive non-compliance (previously good order and discipline), by ethnicity

Ethnicity	2013-14		Apr 14 -Sep 14	
	Hindley YOI	Wetherby YOI	Hindley YOI	Wetherby YOI
	3 months data (Jan 14 - Mar 14)	6 months data (Oct 13 - Mar 14)	6 months data	6 months data
Asian	2	3	12	3
Black	3	10	16	10
Mixed	0	4	9	4
Other	0	0	0	0
White	46	101	95	127
Total	51	118	132	144

Notes:

1. *2013/14 ethnicity breakdown for Wetherby was revised following publication. The revised proportions have been applied to the published total.*
1. *These figures have been drawn from administrative IT systems, which, as with any large scale recording system, are subject to possible errors with data entry and processing and can be subject to change over time.*

2. *The data refers to the number of incidents of use of force and not the number of young people involved. An individual young person may have been involved in more than one incident of use of force and may therefore be counted twice.*
3. *Data for the 2014/15 period is provisional and data for the full financial year will be published as part of the Youth Justice Statistics 2014/15 in January 2016. This is in line with the Code of Practice for Official Statistics.*

Youth Custody: Restraint Techniques [11257]

Asked by Jenny Chapman on 09 October 2015

To ask the Secretary of State for Justice, how many times force has been used on children for good order and discipline at (a) HM Young Offender Institution Feltham, (b) HM Young Offender Institution Wetherby, (c) HM Young Offender Institution Werrington, (d) HM Young Offender Institution Cookham Wood and (e) Parc Young People's Unit in each of the last three years.

Answered by Andrew Selous on 19 October 2015

We are clear that restraint should only be used as a last resort, where there is a risk of harm, and where it is absolutely necessary to do so and no other form of intervention is possible or appropriate.

Restraint for passive non-compliance (previously good order and discipline) is not permitted in Secure Children's Homes (SCHs) and Secure Training Centres (STCs). It is only permitted in Young Offender Institutions (YOIs).

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5.3 Select Committees

House of Commons Justice Committee

Inquiry into Youth Justice

On 26 February 2013 the House of Commons Justice Committee published [*Youth Justice - Seventh Report of Session 2012–13*](#). With regards to safety in youth custody the Committee concluded:

We highlight three very serious issues in the custodial estate that require action. First, it is imperative to draw Youth Justice together and act upon lessons arising from the deaths of vulnerable young people in custody. Secondly, we are concerned that the use of restraint, which has been linked to at least one of these deaths, rose considerably last year and press for a fundamental cultural shift across the secure estate. Thirdly, we recommend more and better co-ordinated support for looked after children and care leavers in custody, who are all too often abandoned by children's and social services.³³

[*The Government response to the Justice Committee's Seventh Report of Session 2012-13: Youth Justice*](#) was published in May 2013.

Young Adult Offenders Inquiry

The House of Commons Justice Committee is currently conducting a Young Adult Offenders Inquiry to:

- assess the implications of the findings of the Harris Review and selected recommendations for current policy and practice.
- examine the evidence on what might constitute more effective or appropriate treatment of young adults throughout the criminal justice process.
- review the impact of guidance to sentencers and prosecutors which advises that they consider the maturity of the offender in their decisions.

Evidence submitted to date can be view on the [Justice Committee](#) website pages on www.parliament.uk.

Joint Committee on Human Rights

The Joint Committee on Human Rights recently conducted an inquiry into the UK's compliance with the UN Convention on the Rights on the Child. Children in custody was one of the areas included in the inquiry. In a report published 24 March 2015, the Joint Committee on Human Rights welcomed the progress made by the Government in recognising children's rights in law and policy but said that more still needs to be done. With regards to child custody it noted:

³³ House of Commons Justice Committee, [*Youth Justice - Seventh Report of Session 2012–13*](#), 26 February 2013

We remain very concerned about the use of force on children in custody and believe that the recent provisions with regard to secure colleges in the Criminal Justice and Courts Act cannot be considered compatible with the UN Convention on the Rights of the Child. The progress that has been made in this area over the last few years is in danger of being lost. The Government must consider not only the circumstances in which force can be used but revisit the methods of restraint which can be employed.³⁴

³⁴ Human Rights Joint Committee, [Eighth Report - The UK's compliance with the UN Convention on the Rights of the Child](#), 18 March 2015, Para 127

6. Media Articles

The following is a small selection of recent press and media articles relevant to this debate.

Please note: the Library is not responsible for the views expressed in, nor the accuracy of, external content.

BBC, 14 January 2016

[Five men bailed over G4S Panorama young offenders centre probe](#)

Telegraph, 13 January 2016

[Four arrested over allegations of unnecessary force on detainees at Kent child jail](#)

Guardian, 13 January 2016

[Our collective shame: the treatment of children in custody](#)

Guardian, 11 January 2016

[G4S guards at youth prison alleged to have falsified reports to avoid fines](#)

Guardian, 10 January 2016

[Andy Burnham calls for G4S to be stripped of youth prisons contract](#)

Guardian, 8 January 2016

[G4S Medway young offenders centre staff suspended over abuse claims](#)

Guardian, 8 July 2015

[Teenage boy found dead in prison cell](#)

Independent, June 15th 2015

[G4S could lose contract for child prison where guards used drugs and dished out racist abuse](#)

Independent, 20 May 2015

[Rainsbrook G4S youth prison slammed by Ofsted report as children suffer 'racist', 'degrading' abuse from guards high on drugs](#)

Guardian, 20 May 2015

[G4S-run youth jail criticised over degrading treatment of detainees](#)

BBC News Online, 18 March 2015

[MPs voice prison safety concerns](#)

Independent, 2 March 2015

[Sixty five young adults and teenagers have died in prison in last four years, report finds](#)

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